

EXHIBIT A

From: Behram V. Parekh <bvp@kirtlandpackard.com>
Sent: Friday, November 15, 2019 5:05 PM
To: Goldberg, Seth A.
Cc: valpec@kirtlandpackard.com; CohenL@gtlaw.com; CCT@pietragallo.com
Subject: RE: Valsartan MDL - Defendants' Objections to Plaintiffs' Document Requests

Seth,

I'm sorry but plaintiffs cannot agree to your proposal. We believe it was incumbent on defendants to serve proper objections in the first instance, and while we were willing to, and even encouraged, amendments that would have allowed us to brief this issue on the current schedule, defendants did not do so. At this point, we do not believe it is appropriate to push the hearing date and that it will be prejudicial to plaintiffs to do so, given that we still have to brief issues for the December 11 hearing date that will be impacted by the Court's rulings on defendants' objections.

Best regards,

Behram

From: Goldberg, Seth A.
Sent: Friday, November 15, 2019 1:42 PM
To: 'Behram V. Parekh'
Cc: valpec@kirtlandpackard.com; CohenL@gtlaw.com; CCT@pietragallo.com
Subject: RE: Valsartan MDL - Defendants' Objections to Plaintiffs' Document Requests


Counsel,

At Behram's request at the beginning of our in-person meet and confer on ESI, I am writing to propose that the parties request the Court defer the hearing on Defendants' objections to Plaintiffs' document requests until December 11.

The first round of meet and confers regarding Plaintiffs' document requests, the last of which concluded yesterday afternoon, has resulted in both parties having a better understanding of the scope of information Plaintiffs seek with their requests, and in commitments by Plaintiffs to attempt to narrow certain requests and by Defendants to provide information that might enable Plaintiffs to do so. We believe the substance of these discussions should be incorporated into our Amended Objections. Given your concern about receiving those Amended Objections on Monday and having to argue about them in connection with your motion regarding Defendants' original objections on Wednesday, we propose the parties agree to request the Court to defer hearing argument on this macro issue until December 11. Defendants would still file their responsive brief on this issue on Monday and serve their Amended Objections on Monday.

Please let me know if this proposal is agreeable to Plaintiffs, and we will send a short letter to Judge Schneider to make this request.

Best,
Seth



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Seth A. Goldberg
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From: Behram V. Parekh <bvp@kirtlandpackard.com>

Sent: Friday, November 15, 2019 7:21 AM

To: Goldberg, Seth A. <SAGoldberg@duanemorris.com>

Cc: valpec@kirtlandpackard.com; CohenL@gtlaw.com; CCT@pietragallo.com

Subject: RE: Valsartan MDL - Defendants' Objections to Plaintiffs' Document Requests

Seth,

While normally we would extend every courtesy in giving defendants an extension, unfortunately we cannot in this case. The offer to allow defendants to provide amended responses was made by *us* in the spirit of cooperation, not at defendants' request, despite defendants' knowing our position regarding the improper nature of defendants' objections since the previous in-person CMC. Defendants accepted plaintiffs offer and requested until on or before November 13th to amend responses.

While not ideal, plaintiffs agreed to this date, heeding the Court's directive to work cooperatively to try and resolve as many issues between the parties as possible, and with the expectation that we would still have enough time to fully respond to defendants' amendments. However, that date passed with us not receiving amended responses.

By agreeing to accept your amended objections on Monday, November 18, however, plaintiffs will be prejudiced because 1) plaintiffs will have no opportunity to respond to defendants' proposed amendments by the November 18 briefing deadline; and 2) plaintiffs will have about a day (which is a travel day for a lot of us) to review 400 pages of objections before having to argue the issue at the hearing on Wednesday.

Thus, while we acknowledge that defendants now wish to amend their objections on Monday, our position before the Court will have to be that all improper objections made in your initial discovery responses should be stricken, and that any amended objections made now are improper, untimely, and waived.

Best regards,

Behram

From: Goldberg, Seth A. <SAGoldberg@duanemorris.com>

Sent: Thursday, November 14, 2019 3:40 PM

To: Behram Parekh <bvp@kirtlandpackard.com>

Cc: valpec@kirtlandpackard.com; CohenL@gtlaw.com; CCT@pietragallo.com

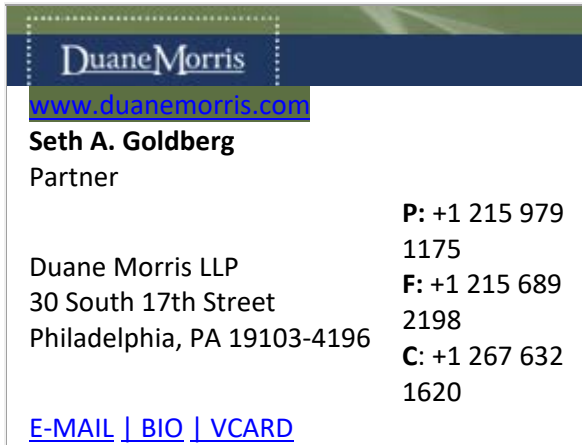
Subject: RE: Valsartan MDL - Defendants' Objections to Plaintiffs' Document Requests

Behram,

The meet and confers regarding the document requests have been very helpful in connection with the amended objections to plaintiffs' document requests we intend to serve. Given the meet and confer today and the meetings on ESI tomorrow, the Manufacturing Defendants are aiming to get you our amended objections on Monday.

Best,

Seth



From: Goldberg, Seth A.

Sent: Tuesday, November 5, 2019 11:12 AM

To: Behram Parekh <bvp@kirtlandpackard.com>

Cc: 'valpec@kirtlandpackard.com' <valpec@kirtlandpackard.com>; 'CohenL@gtlaw.com' <CohenL@gtlaw.com>; 'CCT@pietragallo.com' <CCT@pietragallo.com>

Subject: Valsartan MDL - Defendants' Objections to Plaintiffs' Document Requests

Behram:

During our meet and confer yesterday regarding the macro discovery issues, Plaintiffs proposed that the Manufacturing Defendants should agree to amend their objections to Plaintiffs' document requests in light of Plaintiffs' assertion that the Manufacturing Defendants have asserted "boilerplate" objections in response to each document request. The Manufacturing Defendants disagree with that characterization, as many of their objections are explicitly tied to the drug at issue and the alleged impurities, manufacturing processes, and injuries at issue, and because many of the objections are subject to the resolution of macro discovery issues. Nevertheless, the Manufacturing Defendants will be amending their objections to the document requests, and intend to provide Plaintiffs with an amended set of objections on or before November 13.

Regards,

Seth


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Seth A. Goldberg
Partner

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